

REMARKS

Claims 59 to 150 were pending in the application at the time of issuance of the Office action. Claims 69, 87, 109, and 137 are objected to for informalities. Claims 59 to 61, 63 to 69, 71 to 79, 81 to 87, 89 to 95, 97, 99 to 101, 103 to 115, 117 to 129, 131 to 143, and 145 to 150 stand rejected as anticipated. Claims 62, 70, 80, 88, 98, 102, 116, 130, and 144 stand rejected as obvious.

With respect to the informality rejection of Claims 69, 87, 109, and 137, Applicants respectfully note that Claim 69 in the response to the final office action introduced "the." Applicants requested that the response to the final office action be entered in the filing of the RCE and so suggest that the issue about underlining "the" in Claim 69 is moot.

With respect to "the" in Claims 109 and 137, Applicants have amended the claims to include the article "the" at the location indicated by the Examiner to move prosecution forward.

Thus, each of the four claims now includes "the" as required by the Examiner. Accordingly, Applicants request reconsideration and withdrawal of the objection to Claims 69, 87, 109, and 137.

Claims 59, 77, 95, and 123 are further amended to explicitly recite that the inlining of information eliminates the need to access the information in any constant pool. While in Applicants' opinion this amendment should be unnecessary when the claims are read in view of the specification as required by the MPEP, the amendment is presented to move the prosecution forward. Since the amendment recites the result of the operation previously recited in the claims the amendments should not affect the patentability of this claims.

Claims 69, 87, 109, and 137 are amended to explicitly recite that execution of the composite instruction is on a resource constrained device. Again, while in Applicants'

opinion this amendment should be unnecessary when the claims are read in view of the specification as required by the MPEP, the amendment is presented to move the prosecution forward.

Claims 59 to 61, 63 to 69, 71 to 79, 81 to 87, 89 to 95, 97, 99 to 101, 103 to 115, 117 to 129, 131 to 143, and 145 to 150 remain rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,308,317, hereinafter referred to as Wilkinson.

Applicants respectfully traverse the anticipation rejection of Claim 59 and incorporate the prior remarks herein by reference. In continuing the rejection, the Examiner stated:

In the claim, what is explicitly recited is 'at least one reference to information in said constant pool is eliminated' cannot be construed exactly as 'reference . . . is eliminated because the data has been inlined and consequently, it is unnecessary to access any constant pool.' The cause-to-effect relationship between the inlined data as claimed and the elimination as above-stated is unclear from interpreting the claim.

Applicants thank the Examiner for the clarification of the rejection, but respectfully disagree. One of skill in the art would understand that a reference to a constant pool is required to access information in the constant pool. When the reference is eliminated there is no basis for referencing anything because a reference is unavailable. Nevertheless, Applicants have amended the claims to explicitly recite "accessing said information in any constant pool is unnecessary." Consequently, the limitation is explicitly included in the claims. In view of the remarks in the rejection, Applicants respectfully submit that Claim 59 distinguishes over Wilkinson.

Applicants also respectfully note that an Examiner Interview Request form was submitted with the RCE filing, and Applicants again request if that if the Examiner should

disagree, that the Examiner call Applicants' attorney. The issue here does not seem to be whether Applicants have an invention, but rather whether the claim language adequately distinguishes over the reference. Applicants respectfully submit that if any issues are still present that they can be easily resolved via a telephonic interview. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 59.

Claims 60, 62, and 63 to 68 depend from Claim 59 and so distinguish over Wilkinson for at least the same reasons as Claim 59. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 60, 62, and 63 to 68.

Claim 69 stands rejected as anticipated by Wilkinson also. The rationale for continuing the rejection stated in part:

Since ILOAD_x and the tandem ILOAD-and-integer X are distinct instructions, the ILOAD and the X loading being called upon to fulfill the result from the operation on the current object, the object being required stack data in the loading process . . . the whole limitation amounts to just a composite instruction having a execution result such that it is functionally equivalent to execution in sequence by the 2 loading as set forth above of ILOAD and X in fulfill the object of the stack.

Applicants again thank the Examiner for the clarification. Applicants respectfully submit that Claim 69, the teaching of the reference, the JAVA instructions have been mischaracterized. First, Fig. 7 of Wilkinson is not a stack. Wilkinson stated:

Fig. 7 is a block diagram illustrating the transformation of specific byte codes into general byte codes.

Wilkinson, Col. 6, lines 64 and 65.

A block diagram of a transformation teaches nothing about loading a stack. Second, Wilkinson stated:

FIG. 7 illustrates an example wherein byte code ILOAD_0 is replaced with two bytes, byte code ILOAD and argument 0. When this is done, the code size changes, requiring adjustment of any jump destinations which are affected.

Wilkinson, Col. 10, lines 19 to 23. Thus, Fig. 7 shows that the single byte bytecode for instruction ILOAD_0 is replaced by two bytes--a single byte generic bytecode for instruction ILOAD and a byte for the argument of instruction ILOAD. This teaches nothing about two loads--one for the argument and one for the bytecode as asserted in the rejection.

The form of the ILOAD instruction is:

ILOAD 0

The "0" is the argument of the instruction as taught by Wilkinson and understood by those of skill in the art familiar with the JAVA programming language. As stated previously, "ILOAD 0" is a single instruction as is "ILOAD_0." Moreover, this whole line of discussion turns the explicit claim language backwards.

Claim 69 recites in part:

said instructions previously converted from at least one class file, said instructions comprising at least one composite instruction

Thus, the composite instruction recited in Claim 69 was "previously converted from at least one class file." In Wilkinson, the "ILOAD 0" instruction is the instruction previously converted from a class file. Specifically,

Otherwise, the card class file converter converts specific byte codes into generic byte codes.

Wilkinson, Col. 10, line 34 and 35. Instruction "ILOAD_0" is taught as being converted to "ILOAD 0" and so Wilkinson teaches that instruction "ILOAD 0" is the instruction "previously converted from at least on class file" that is executed on the smart card. Accordingly, to meet the above quoted Claim limitation, instruction "ILOAD 0" must be compared to Applicants' claim language. Any other comparison ignores the explicit claim limitation quoted above.

Instruction "ILOAD 0" replaces a single instruction "ILOAD_0" and not two instructions. Therefore, instruction "ILOAD 0" does not replace "sequential execution of said two or more other instructions," as recited in Applicants' claims.

The conversion is not to replace two sequential instructions with a composite instruction, but rather,

This translation is done to reduce the number of byte codes translated by the Card JVM 16, consequently reducing the complexity and code space requirements for the Card JVM 16. (Emphasis Added)

Wilkinson, Col. 10, lines 44 to 47.

Reducing the number of bytecodes fails to teach or suggest anything about replacing two sequential instructions with a single composition instruction as recited in Claim 69. Applicants respectfully submit that when all the claim limitations are considered, Wilkinson not only fails to teach exactly what is claimed, but teaches away from Applicants' invention as recited in Claim 69.

Moreover, the operations of Appendix D are not taught by Wilkinson as being executed on the resource constrained device and so have teach nothing about execution of instructions on a resource constrained device as recited in Claim 69. Applicants

respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 69.

Claims 71 to 76 depend from Claim 69 and so distinguish over Wilkinson for at least the same reasons as Claim 69. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 71 to 76.

Claim 77 is directed to a resource-constrained device that includes a conversion equivalent to that of Claim 59, as discussed above and incorporated herein by reference. Therefore, Claim 77 distinguishes over Wilkinson for at least the same reasons as Claim 59. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 77.

Claims 78, 79 and 81 to 86 depend from Claim 77 and so distinguish over Wilkinson for at least the same reasons as Claim 77. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 78, 79 and 81 to 86.

Claim 87 is directed to a resource-constrained device that includes a composite instruction equivalent to that of Claim 69, as discussed above and incorporated herein by reference. Therefore, Claim 87 distinguishes over Wilkinson for at least the same reasons as Claim 69. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 87.

Claims 89 to 94 depend from Claim 87 and so distinguish over Wilkinson for at least the same reasons as Claim 87. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 89 to 94.

Claim 95 is directed to a method of using an application software program that includes a conversion equivalent to that of Claim 59, as discussed above and incorporated herein by reference. Therefore, Claim 95 distinguishes over Wilkinson for at least the same reasons as Claim 59. Applicants

respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 95.

Claims 97, 99 to 101, and 103 to 108 depend from Claim 95 and so distinguish over Wilkinson for at least the same reasons as Claim 96. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 97, 99 to 101, and 103 to 108.

Claim 109 is directed to a method of using an application software program that includes a composite instruction equivalent to that of Claim 69, as discussed above and incorporated herein by reference. Therefore, Claim 109 distinguishes over Wilkinson for at least the same reasons as Claim 69. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 109.

Claims 110 to 115, and 117 to 122 depend from Claim 109 and so distinguish over Wilkinson for at least the same reasons as Claim 109. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 110 to 115, and 117 to 122.

Claim 123 is directed to an apparatus that includes a conversion equivalent to that of Claim 59, as discussed above and incorporated herein by reference. Therefore, Claim 123 distinguishes over Wilkinson for at least the same reasons as Claim 59. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 123.

Claims 124 to 129 and 131 to 136 depend from Claim 123 and so distinguish over Wilkinson for at least the same reasons as Claim 123. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 124 to 129 and 131 to 136.

Claim 137 is directed to an apparatus that includes a composite instruction equivalent to that of Claim 69, as discussed above and incorporated herein by reference. Therefore, Claim 137 distinguishes over Wilkinson for at least

the same reasons as Claim 69. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 137.

Claims 138 to 143 and 145 to 150 depend from Claim 137 and so distinguish over Wilkinson for at least the same reasons as Claim 137. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of each of Claims 138 to 143 and 145 to 150.

Claims 67, 70, 80, 88, 96, 98, 102, 116, 130 and 144 stand rejected under 35 U.S.C. 103(a) over Wilkinson in view of U.S. Patent No. 5,825,407 herein after referred to as Cowe.

Applicants respectfully traverse the obviousness rejection of each of Claims 67, 70, 80, 88, 96, 98, 102, 116, 130 and 144. Assuming arguendo that the combination of references is appropriate and that Cowe has been interpreted correctly, the additional information noted fails to correct the defects in Wilkinson as noted above for the independent claims for which these claims depend. Thus, each of Claims 67, 70, 80, 88, 96, 98, 102, 116, 130 and 144 distinguish over the combination of references for at least the same reasons as the independent claim from which each depends. Applicants request reconsideration and withdrawal of the obviousness rejection of each of each of Claims 67, 70, 80, 88, 96, 98, 102, 116, 130 and 144.

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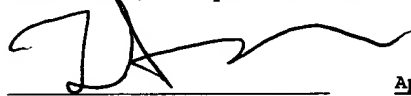
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Claims 59 to 150 remain in the application. Claims 59, 77, 95, and 123, and Claims 69, 87, 109, and 137 have been amended. Claims 1 to 58 were previously canceled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

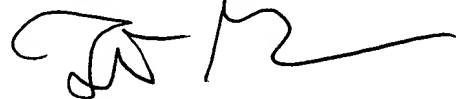
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 18, 2006.



Attorney for Applicant(s)

April 18, 2006
Date of Signature

Respectfully submitted,



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